

REMARKS

The present amendment is in response to the Office Action dated May 4, 2007, where the Examiner indicates that the application is in order for allowance subject to amendment of claims 1 and 45 to overcome the rejection under 35 U.S.C. 112, second paragraph, and has closed prosecution on the merits in accordance with *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213. It is submitted that this amendment meets the requirements of 37 CFR 1.116 (b) for amendment after a final action, since it simply complies with the Examiner's requirement in the current Office Action to provide proper antecedent basis for language previously used in claims 1 and 45, as explained in more detail below. Entry of this amendment and allowance of the application is therefore respectfully requested.

In paragraph 2 of the Office Action, the Examiner has rejected all of the claims apart from the previously withdrawn claims as indefinite in view of the limitation "the moving parts" in claims 1 and 45. The Examiner points out that there is insufficient antecedent basis for this limitation in these claims.

In the foregoing amendment, the limitation "the moving parts" has been deleted from the phrase "at least one of the moving parts" in line 12 of amended claim 1. This phrase has been amended to read: "at least one of the user support, exercise arm, and connecting linkage" (new language underlined). It is submitted that this overcomes the rejection of this claim under 35 U.S.C. 112, second paragraph, since each of these terms has proper antecedent basis in lines 3, 6, and 9 of claim 1, respectively. Reconsideration and reversal of the rejection of claim 1 and all claims dependent thereon is therefore respectfully requested.

Claim 45 has been amended in line 6 to change "one moving part" to --a first moving part--, and in line 14 to change "at least one of the moving parts" to "at least one of the first, second and third moving parts..". It is submitted that this phrase has proper antecedent basis in claim 45, since line 6 defines the user support frame as a first moving part, line 10 defines the exercise arm as a second moving part, and line 13 defines the connecting link as a third moving part of the machine. Reconsideration and reversal of the rejection of claim 45 and all claims dependent thereon is respectfully requested.

It is respectfully requested that the Examiner also considers and allows previously withdrawn claims 10, 13, 18-20, 25-38, 40, 42, 43, 48, 51, 53, and 54 in the next communication, since each of these claims now depends from allowable generic claim 1 or 45.

CONCLUSION

It is believed that all of the claims remaining in this application are in order for allowance, since the only claim rejection in the current Office Action has been overcome by the foregoing amendment of claims 1 and 45. All of the claims which were withdrawn from consideration as directed to a non-elected species now depend from a generic claim which is believed to be allowable in view of the foregoing amendment, and consideration and allowance of the withdrawn claims in addition to the claims considered in this Office Action is respectfully requested.

It is believed that all claims remaining in this application, specifically claims 1 to 56, are now in condition in all respects for allowance, and early notice to this effect is earnestly solicited. If the Examiner has any questions or comments regarding the above Amendments and Remarks or believes that a telephone conversation may be useful in advancing prosecution, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,
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